REMARKS

Claims 1-26 are pending in the application. Claims 2 and 15 have been cancelled. Claims 1, 3, 11-14, and 16 have been amended. Applicants respectfully request entry of the foregoing amendment to Claims 1, 3, 11-14, and 16 prior to further examination. No new matter has been introduced. Acceptance is respectfully requested.

35 U.S.C. § 102 Rejection

Claims 1-6, 10-19, and 23-26 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Aggarwal et al. (U.S. Patent No. 5,943,478) ("Aggarwal").

The present invention provides a system and method for using standard communication protocols, such as HTTP protocol, for implementing a server driven "push" technology. Generally, once a client 10 establishes a connection to a server 12, the server 12 maintains the connection by sending a "no message" flag (16, 18, 20) or indicator to the client 10. The client 10 ignores the "no message" flags (16, 18, 20) that it receives, but when the server 12 needs to send information to the client 10 (i.e., there exists a substantive message 26 on the server 12), the server 12 sends a "message pending" flag 22 to the client 10. Then the server 12 may send the substantive message 26 to the client 10 or the client 10 may request the pending substantive message 26 from the server 12. (*See* Fig. 1 and Specification, page 4, line 25 - page 5, line 10).

In contrast, Aggarwal provides a system and method in which a server employs a "MIME-multipart push" technique for instantly sending messages to a recipient behind a firewall as parts of a long multipart message. According to this system and method, a client C first connects through a firewall F to a Home Server C (Fig. 4B). Then, the client C sends an HTTP post message 421 to the home server C (Fig. 4C). Next, the home server C sends the client C an HTTP response 431 which is the first part of a MIME-multipart sequence (Fig. 4D). At this point, the client C is logged onto the system. Thereafter, the home server C can send to the client C any sequence of messages so long as the back connection remains open. Once every four

minutes, the home server C sends the client C a "blank" message to keep the firewall connection alive. (See Figs. 4B-4D and Col. 4, lines 23-60).

Aggarwal teaches the sending of "blank" messages from a server to a client to maintain an active connection between the server and the client, while the present invention sends an indicator indicating that no message is available on the server, which keeps the connection alive. Thus, a blank message is an actual message and not an indicator as claimed in the present invention. Independent Claims 1 and 14 have been amended to include this limitation. Aggarwal does not teach, suggest or otherwise make obvious "transmitting an indicator from the server to the client at short intervals" as now claimed in amended Claims 1 and 14. Therefore, Applicants respectfully request that the rejections of Claims 1 and 14 be withdrawn.

Amended Claim 3, Claims 4-6 and 10, and amended Claims 11-13 depend from now amended independent Claim 1 and amended Claim 16 and Claims 17-19 and 23-26 depend from now amended Claim 14 and are allowable for the same reasons. Applicants respectfully request that the rejection of these claims be withdrawn..

35 U.S.C. § 103 Rejection

Claims 7-9 and 20-22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Aggarwal as applied to claims 1 and 14 above.

As explained above, Aggarwal does not teach, suggest or otherwise make obvious each and every limitation of now amended independent Claims 1 and 14. Since Claims 7-9 depend from independent Claim 1 and Claims 20-22 depend from independent Claim 14, Applicants respectfully request that the rejection under 35 U.S.C. 103(a) be withdrawn for at least the same reasons.

CONCLUSION

In view of the above amendments and remarks, it is believed that all now pending claims (Claims 1, 3-14, and 16-26) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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